

I. Paragraph 1: Rejection Under 35 U.S.C. §112, First Paragraph

In paragraph 1 of the Office Action, claims 1 through 11 were rejected under 35 U.S.C. 112, first paragraph, for containing subject matter which was not described in the specification. More specifically, the Office Action asserts that the limitation in independent claims 1, 3, 6 and 9 that requires the writing of a frame “to a memory location shifted from an end of the next available memory location in the frame buffer,” is not described in the specification.

The Applicant respectfully disagrees, and requests reconsideration of this rejection.

The specification of the present application indeed discloses writing a frame “to a memory location shifted from an end of the next available memory location in the frame buffer.” According to the specification, the frame receiver 10 (shown in Figure 3) searches for a frame buffer (shown in Figure 5). See Specification at 6. The frame, however, is not written to the first available address 21 in the frame buffer. See Figure 5. Instead, the frame is written to an address shifted from the first available address 22 in the frame buffer. Id. Thus, Figure 5, which depicts a frame which is written from a position shifted from the first available address in a frame buffer, clearly shows that the frame is written to a memory location 22 that is shifted from an end 21 of the next available memory location in the frame buffer.

Since the specification and drawings clearly disclose the writing of a frame “to a memory location shifted from an end of the next available memory location in the frame buffer,” we respectfully ask that the rejection under 35 U.S.C. §112, first paragraph, of independent claims 1, 3, 6, and 9, be withdrawn. Moreover, since each of claims 2, 4, 5, 7, 8, 10 and 11 depend from, and include all the limitations of one or more of the independent claims 1, 3, 6, and 9, the rejection of these dependent claims under 35 U.S.C. 112, first paragraph, should also be withdrawn.

II. Paragraphs 2 and 3: Rejections Under 35 U.S.C. 103

In paragraphs 2 and 3 of the Office Action, claims 1 through 11 were rejected under 35 U.S.C. 103 as being unpatentable over Stoner in view of Chao. To establish a prima facie case of obviousness under 35 U.S.C. 103, the Office Action must establish that the combination of Stoner and Chao teaches or suggests each and every limitation of the rejected claims. See M.P.E.P. §706.02(j)

However, the Office Action has failed to establish that the combination of Stoner and Chao discloses or suggests writing a frame “to a memory location shifted from an end of the next available memory location in the frame buffer,” as is required by each of the independent claims 1, 3, 6 and 9.

In the Office Action, it is admitted that Stoner does not disclose that the frame is written from an address shifted from the top of a frame buffer. See Office Action at 3. Chao, however, also fails to disclose this limitation. Although it is true that Chao discloses the writing of ATM cells to a FIFO buffer, the ATM cells in Chao are each written to the next available memory location, not to a memory location that is shifted from the end of the next available memory location as is required by independent claims 1, 3, 6, and 9 of the present invention. As a result, even the combination of Stoner and Chao fails to disclose or suggest every limitation of claims 1, 3, 6 and 9, and the rejection of these independent claims under 35 U.S.C. 103 should be withdrawn.

Moreover, since each of claims 2, 4, 5, 7, 8, 10 and 11 depends from, and includes, all the limitations of at least one of the independent claims 1, 3, 6, and 9, the combination of Stoner and Chao also fails to disclose or suggest each and every limitation of dependent claims 2, 4, 5, 7, 8, 10 and 11. As a result, the rejection of the dependent claims under 35 U.S.C. 103(a) should also be withdrawn.

III. Conclusion

In view of the above, each of the presently pending claims in this application is

believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

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Respectfully submitted,

By 

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